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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,718	03/19/2001	Jay Paul Drummond	D-1120 R2	2928

28995 7590 01/13/2003

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EXAMINER

FELTEN, DANIEL S

ART UNIT PAPER NUMBER

3624

DATE MAILED: 01/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
**09/811,718**

Applicant(s)  
**Drummond et al**

Examiner  
**Daniel Felten**

Art Unit  
**3624**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Dec 18, 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 25 and 44-119 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 25 and 44-119 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

## DETAILED ACTION

1  
2 1. Receipt of the amendment filed October 1, 2002 amending claims 25, 46, 53, 54 and  
3 80 and adding claims 97-119. Claims 25 and 44-119 are pending in the application and are  
4 presented to be examined upon their merits. Examiner also wishes to thank applicant's  
5 representative Chris Parmele (Reg. No. 42,980) for the telephone interview December 16,  
6 2002.

### *Response to Arguments*

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8  
9 2. Applicant's arguments with respect to claims 44-102 have been considered but are moot  
10 in view of the new ground(s) of rejection.

### *Claim Objections*

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13  
14 3. Claim 96 objected to because of the following informalities:

15 Delete "RF messages" and substitute --radio frequency ("RF") messages--.

16 Appropriate correction is required.  
17  
18

*Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 44-102 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear from the claims how the host ATM is responsive to communication with at least one portable ATM through the at least one wireless network. Does the host ATM respond to a code, or some other means?

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 25, 44-119 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zeanah et al (Hereinafter "Zeanah" US 5,933, 816) in view Gutman et al (US 5,221, 838)

1  
2           Zeanah et al discloses a system for connecting transactions services to an automated  
3 transaction machine ("ATM") that includes a network (see Abstract). transaction services are  
4 operative to the register with the lookup service and to upload a service proxy to the lookup  
5 service. The user interface service is operative to locate transaction services on the network by  
6 invoking a remote lookup method on the lookup service (see transaction executor component,  
7 col. 14, ll. 42 to col. 15, ll. 10).

8           Zeanah further discloses the fact that the lookup service is operative to return service  
9 proxies that match the type of service that is required. The user interface service is further  
10 operative to invoke methods of the service proxies that remotely control the functionality of the  
11 transaction services on the network. The user interface service is further operative to register  
12 events with the service proxies for notification when certain events on the services occur (see  
13 external service provider interface, col. 15, ll. 12-51).

14           Zeanah et al fails to show a printer service, card reader service, and a cash dispenser  
15 service. Gutman discloses a printer for printing checks, a card reader for reading, and a means for  
16 making cash transactions. It would have been obvious for an artisan of ordinary skill at the time  
17 of the invention of Zeanah to integrate/substitute the Gutman system (electronic wallet) into the  
18 system of Zeanah (personal computer--18 and/or PDA--20) because an artisan of ordinary skill at  
19 the time of the invention of Zeanah would have recognized the convenience in the combination  
20 of features provided by the Gutman invention, inasmuch as each of the notoriously old and well

1 known features provided by Gutman would have been sought after in making conventional  
2 automated electronic and/or cash transactions. Thus to integrate/substitute the Gutman system  
3 into the Zeanah et al would have been an obvious expedient well within the ordinary skill in the  
4 art.

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7  
8 ***Conclusion***

9  
10 8. A list of relevant prior art appears below not relied upon in this Office Action:

11 **US Patents:**

12 Royal, Jr. et al (US 5,980,090) discloses an Internet asset management system for fuel dispensing  
13 environment

14 Gorgens (US 4,075,460) discloses a cash dispensing system

15 Anderson et al (US 5,706,442) discloses a system for on-line financial services using distributed  
16 objects

17 Vajk et al (US 5,265,033) discloses an ATM/POS based electronic mail system

18 Covert et al (US 6,334,117 B1) discloses an automated banking machine and system

19 9. Any inquiry concerning this communication or earlier communications from the examiner  
20 should be directed to ***Daniel S. Felten*** whose telephone number is (703) 305-0724. The  
21 examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday.  
22 Any inquiry of a general nature relating to the status of this application or its proceedings should

1 be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor  
2 **Vincent Millin** whose telephone number is (703) 308-1065.

3  
4 10. Response to this action should be mailed to:

5  
6 Commissioner of Patents and Trademarks


7 Washington, D.C. 20231

8  
9 for formal communications intended for entry, or (703) 305-0040, for informal or draft  
10 communications, please label "Proposed" or "Draft".

11 Communications via Internet e-mail regarding this application, other than those under 35  
12 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be  
13 addressed to [daniel.felten@uspto.gov].

14  
15 All Internet e-mail communications will be made of record in the application file. PTO  
16 employees do not engage in Internet communications where there exists a possibility that  
17 sensitive information could be identified or exchanged unless the record includes a properly  
18 signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly  
19 set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and  
20 Trademark on February 25, 1997 at 1 195 OG 89.

21  
22   
23 **DSF**  
24 **January 8, 2003**

  
V. Millin  
308-1065